



Board of Zoning Appeals

601 Lakeside Avenue, Room 516

Cleveland, Ohio 44114-1071

[Http://planning.city.cleveland.oh.us/bza/cpc.html](http://planning.city.cleveland.oh.us/bza/cpc.html)

216.664.2580

March 12, 2018

9:30

Calendar No. 18-036:

2280 West 11 Street

Ward 3

Kerry McCormack

19 Notices

JCJ Tremont LLC, owner, proposes to change use from church to office in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 337.08 which states that Office use is not permitted in the Multi-Family Residential District but first permitted in Local Retail
2. Section 359.01 which states that expansion of nonconformance requires BZA approval. (Filed February 1, 2018)

9:30

Calendar No. 18-037:

3320-22 Broadview Rd.

Ward 12

Anthony Brancatelli

15 Notices

Apolonio Lumaban, owner, proposes to add use of auto repair to non-conforming auto detailing business contrary to the rights established in Board of Zoning Appeals Calendar Number 15-60 (approved and adopted May 4, 2015). The owner appeals for relief from the strict application of the following sections of the Codified Ordinances:

1. Section 343.01 which states that Motor Vehicle Minor Repair, as defined in Section 325.483, is not permitted in a Local Retail Business District but is first permitted in General Retail Business District pursuant to Section 343.14, requiring screening of all materials and no more than four vehicles stored overnight on premises.
2. Section 358.05(a)(2) which states that fence height in rear side yard is limited to 6 feet and a 10 foot fence is proposed.
3. Section 352.10(a)(2) which states that a four foot wide landscape strip is required where lot abuts Broadview Road. (Filed February 1, 2018)

9:30

Calendar No. 18-38:

11125 Magnolia Drive

Ward 9

Kevin Conwell

16 Notices

Cleveland Music School Settlement, owner, proposes to install a 30' x 40' temporary tent for various events that will occur from April 1, 2018 to October 1, 2018 on a parcel located in an AA1 One Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.77 which states that "temporary use" means any main accessory use in any Use District involving the erection or occupancy of temporary structures.
2. Section 347.10(a)(b) which states that no temporary use shall be established until a permit for such use has been issued by the Commissioner of Building and Housing. A temporary permit shall not exceed thirty (30) days in duration. No temporary permit shall be issued within sixty (60) days of the expiration of a previous temporary permit for the same temporary use, on the same premises. Such temporary use permit shall constitute a temporary waiver of off-street parking requirements. Proposed temporary use/structure will be for approximately 180 days. (Filed February 7, 2018)

9:30

Calendar No. 18-39:

1768 West 38 Street

Ward 3

Kerry McCormack

13 Notices

Katfeat LLC., owner, proposes to erect a three story, 3,897 square foot, three family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that a three family dwelling is not permitted in a Two Family Residential zoning Districts.
2. Section 355.04 which states that in a "B" area district the maximum gross floor is limited to one half the lot size therefore 2,485 square foot maximum gross floor area is permitted and a 3,897 square foot structure is proposed.
3. Section 355.04 which states that 2,400 square feet lot area per dwelling unit is required or in this case 7,200 square foot lot is required for a three dwelling unit building. A 4,977 square foot lot is proposed.
4. Section 357.08(b)(1) which states that a 20 foot rear yard is required where 3 feet, 4 inches to 3 feet 7 inches are proposed.
5. Section 357.09(b)(2)(A)(B) which states that interior side yards equal to one fourth the height of the building or in this case 8 feet, 8 inches each, are required. Side yards of 3 feet and 5 feet 11 inches are proposed. No building may be erected less than ten feet from a main building on an adjoining lot in a residence district.
6. Section 349.04 which states that three parking spaces are required. The easement access arrangement partially over separate property to garage requires BZA approval.
7. Section 341.02(b) which states that approval of the Cleveland Landmarks Commission is required. (Filed February 8, 2018)

9:30

Calendar No. 18-41:

6513 Union Avenue

Ward 6

Blaine A. Griffin

17 Notices

East West LLC., owner, proposes to establish use as storage/warehouse inside the structure located in a C2 Local Retail Business District. The owner appeals for relief from the strict application of Section 341.01 of the Cleveland Codified Ordinances which states that storage or warehouse is not permitted in a Local Retail Business District but is first permitted in a Semi-Industry District per 345.03(c)(33). (Filed February 9, 2018)

9:30

Calendar No. 18-44:

**14215 Darley Ave./Waste
Collection Appeals**

Ward 8

Michael D. Polensek

Bobbie Laster, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the hearing examiner in Parking Violations Bureau on February 7, 2018 concerning the City of Cleveland Waste Collection issuance of Civil Infraction Ticket Number WC00361691 issued November 14, 2017 regarding failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances. (Filed February 12, 2018)

9:30

Calendar No. 18-46:

3829 Lorain Ave.

Ward 3

**Kerry McCormack
20 Notices**

Triban Investments, LLC., owner, and Brent Zimmerman prospective purchaser propose to construct a mixed use building consisting of retail stores and 33 townhouse units in a C3 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of Section 337.031(g) which states that a 20' Rear yard is required where 13.93 feet are proposed. (Filed February 15, 2018)